

JOHN E. SWALLOW #5802
Chief Deputy Attorney General
HARRY H. SOUVALL #4919
ROGER F. FAIRBANKS #3792
Assistant Attorney General
MARK L. SHURTLEFF #4666
UTAH ATTORNEY GENERAL
5110 State Office Building
P.O. Box 142477
Salt Lake City, UT 84114-2477
Telephone: (801) 538-9687
Fax: (801) 538-9727
jswallow@utah.gov
hsouvall@utah.gov
rfairbanks@utah.gov

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

UINTAH COUNTY, UTAH, a Utah political subdivision; UNTAH COUNTY BOARD OF COMMISSIONERS; and UTAH ASSOCIATION OF COUNTIES, on behalf of its impacted members, including named member Uintah County,

Plaintiffs,

vs.

KEN SALAZAR, in his official capacity as SECRETARY OF THE INTERIOR; *et al.* Defendants, and

SOUTHERN UTAH WILDERNESS ALLIANCE, *et al.*,

Defendant-Intervenors.

**PLAINTIFF STATE OF UTAH'S
MOTION FOR LEAVE TO FILE ITS
FIRST AMENDED COMPLAINT**

Case No. 2:10-cv970-CW

Case No. 2:11-cv-391-CW
(consolidated)

Judge Clark Waddoups

Magistrate Judge Samuel Alba

STATE OF UTAH,

Plaintiff,

vs.

KEN SALAZAR, in his official capacity as Secretary for the Department of Interior; the DEPARTMENT OF THE INTERIOR, an agency of the United States of America; ROBERT V. ABBEY, in his official capacity as Director for the Bureau of Land Management; and the BUREAU OF LAND MANAGEMENT, an agency of the United States of America,

Defendants.

SOUTHERN UTAH
WILDERNESS ALLIANCE, *et al.*,

Defendant-Intervenors.

Pursuant to Rule 15 of the Federal Rules of Civil Procedure, Plaintiff State of Utah, by and through counsel, hereby moves this Court for an Order authorizing the filing of an Amended Complaint. This Motion is brought to specify facts surrounding the State of Utah's Article III standing and to assert a cause of action for procedural and substantive unlawful wilderness management. This Motion is supported by the accompanying Memorandum in Support of Motion for Leave to File an Amended Complaint. The Proposed Amended Complaint is attached hereto as Attachment 1.

Counsel for State of Utah has conferred with counsel for the Federal-Defendants and Defendant-Intervenors regarding this motion, and they take no position at this time reserving the right to oppose this Motion after reviewing it and the Proposed Amended Complaint. Counsel for the State of Utah also conferred with counsel for Plaintiff Uintah County who does not oppose this request. Wherefore, the State of Utah asks that the Court grant its request for leave to file its First Amended Complaint.

Dated this 3rd day of November, 2011

/s/ Harry H. Souvall
HARRY H SOUVALL
ROGER FAIRBANKS
Assistant Attorneys General
JOHN O. SWALLOW
Chief Deputy Attorney General
Utah Attorney General's Office
Attorneys for the State of Utah

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Leave to File Amended Complaint with Attachment was provided electronically to all parties named below on the 3rd day of November, 2011.

/s/ Harry H. Souvall

HARRY H. SOUVALL

Assistant Attorney General